

April Barker

From: Walker, Leita <WalkerL@ballardspahr.com>
Sent: Monday, March 15, 2021 1:22 PM
To: April Barker
Cc: Kelley, Matthew E.; Friedman, James
Subject: Colborn v. Netflix -- discovery requests

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Hi, April,

With the mediation behind us, we are cognizant of Judge Ludwig's statement back in December that discovery responses will be due two weeks after he rules on the pending motions to dismiss, should any portion of the case survive. So as to avoid any surprises, we wanted to put you on notice that Netflix plans to respond only to Plaintiff's Second Request for Production of Documents to Netflix, Inc., which were served March 12, 2020. We will also provide initial disclosures within two weeks of the court's ruling, assuming the case against Netflix is not dismissed in its entirety.

We do not plan to respond to the first set of discovery requests served with the state court complaint nearly two years ago. Those discovery requests were rendered null and void by the removal to federal court. If you wish to properly serve those requests pursuant to the federal rules, we will answer them in the time frame provided by the rules or two weeks after the court rules on the pending motions, whichever is later. We do hope that, before serving those requests you'll consider developments in the case over the past two years and tailor the requests accordingly so as to simplify matters and avoid unnecessary disputes.

Sincerely,

Leita Walker



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